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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NAPOLEON EBARLE, JEANNE  
STAMM, BRIAN LITTON, and REINER  
JEROME EBARLE on behalf of  
themselves and all other similarly situated,

Plaintiffs,

v.

LIFELOCK, INC.,

Defendant.

Case No. 3:15-cv-258

**DECLARATION OF BRIAN LITTON IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR AWARD OF ATTORNEYS' FEES  
AND EXPENSES AND FOR SERVICE  
AWARDS FOR PLAINTIFFS**

Date: June 23, 2016  
Time: 2:00 PM  
Courtroom: 15, 18th Floor  
Judge: Hon. Haywood S. Gilliam Jr.

1 I, Brian Litton, under penalty of perjury, declare as follows:

2 1. I am a named Plaintiff and Class Representative in the above-captioned case (the  
3 “Action”).

4 3. I submit this Declaration in support of Plaintiffs’ Motion for Award of Attorneys’  
5 Fees and Expenses and for Service Awards for Plaintiffs (“Fee Application”), and have personal  
6 knowledge of the matters set forth below.

7  
8 4. Prior to entering this litigation, I was informed by Class Counsel of the general  
9 duties of a Class Representative. I understood and acknowledged that as a Class Representative, I  
10 was expected to adequately and fairly represent the Class, and I agreed to fulfill these duties. As  
11 such, I have always considered the interests of the entire Class and have remained informed and  
12 interested, on a continuous basis, in the progress of this lawsuit.

13  
14 5. As a Class Representative, my claims are typical of those of the Class and I do not  
15 possess any interest in this Action that is antagonistic to other Members of the Class.

16 6. As a Class Representative, I have volunteered my time and agreed to represent the  
17 interests of many other people with identical and/or similar claims and damages because of the  
18 importance that all benefit from the lawsuit, and I have retained competent counsel, experienced in  
19 class action litigation.

20  
21 7. As a Class Representative, I have performed various tasks for the benefit of the  
22 Class, including the following:

- 23 • Assisting with the factual development of the Action, including assisting my  
24 attorneys in understanding LifeLock’s products, representations made in  
25 relation thereto, and reliance of customers;  
26 • Collecting and submitting information to my attorneys;  
27 • Reviewing and authorizing the filing of complaints and pleadings in this  
28

1 Action;

- 2 • Answering and responding to informal document requests and assisting my  
3 attorneys in preparing for mediation; and  
4 • Monitoring and authorizing the proposed Settlement.  
5

6 8. Given all the considerations and the inherent uncertainties of litigation, I believe the  
7 proposed Settlement, which creates a cash settlement fund of \$68,000,000 ("Settlement Fund"),  
8 provides valuable compensation to the Class, is fair and reasonable, and in the best interest of the  
9 Class.

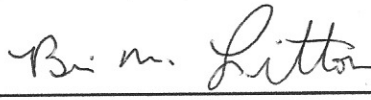
10 9. I understand that separate and apart from the Settlement Fund, LifeLock has  
11 agreed to pay up to \$10.2 million in attorneys' fees and costs. As such, the recovery to the Class  
12 will not be reduced in any way by attorneys' fees.  
13

14 10. I have never been promised any compensation for performing my duties as a  
15 Plaintiff and Class Representative. I understand, however, that the parties have requested the Court  
16 to award me \$2,000 for my time and efforts on behalf of the Class. I will be most appreciative if  
17 the Court determines that my efforts on behalf of the Class in commencing and assisting with the  
18 prosecution of this Action warrant an award in that amount.  
19

20 11. As a Class Representative, I have always understood that the resolution of this  
21 lawsuit is subject to Court approval and must be designed in the best interest of the Class as a  
22 whole, and I, along with Class Counsel, have actively participated in this Action with the goal of  
23 obtaining the most beneficial recovery for the Class. I believe that together Class Counsel and the  
24 Class Representatives were able to achieve this goal and secure significant, immediate benefits for  
25 the Class. Consequently, I support the proposed Settlement and Fee Application in this Action.  
26  
27  
28

1 I declare under penalty of perjury that the foregoing is true and correct and that this  
2 declaration was executed on this 15<sup>th</sup> day of March, 2016.

3  
4 Elk Grove, California

  
\_\_\_\_\_  
Brian Litton